

City of Seattle Shoreline Master Program Update Citizens Advisory Committee

CHARTER

The City of Seattle Shoreline Master Program Update Citizens Advisory Committee and the Department of Planning and Development have agreed to the following charter to guide the Committee's deliberations, interactions and work products. This charter contains agreed-upon ground rules and operating procedures for working together in a group. It establishes the purpose of the group; clarifies roles and responsibilities; encourages discussion, decision-making and development of recommendations; and develops trust by setting guidelines that are fair, equitable and productive. The charter clarifies group procedures for conducting meetings, reporting results, resolving differences and accomplishing the task of the group.

Background and Purpose

The City of Seattle's Department of Planning and Development (DPD) is in the process of comprehensively updating its Shoreline Master Program (SMP) for the first time since 1987. The SMP constitutes the policies and regulations governing development and uses on and adjacent to marine and freshwater shorelines. This includes the waters of Puget Sound, Lake Washington, Lake Union/Ship Canal, Duwamish River, Green Lake, as well as associated wetlands and floodplains. These policies and regulations affect land uses, structure bulk and setbacks, public access requirements, bulkheads, docks, piers and construction practices.

Updating of the SMP is a state-mandated exercise required under the Shoreline Management Act (SMA), which establishes guidelines for the process and outcome of updates, with flexibility to acknowledge local concerns and conditions. The SMA establishes three major policy goals for SMPs:

- Preferred Shoreline Uses: The Shoreline Management Act establishes a preference for uses that are water-oriented and that are appropriate for the environmental context (such as port facilities, shoreline recreational uses, and water-dependent businesses). Single family residences are also identified as a priority use under the Act when developed in a manner consistent with protection of the natural environment
- Environmental Protection: The Act requires protections for shoreline natural resources, including "...the land and its vegetation and wildlife, and the water of the state and their aquatic life..." to ensure no net loss of ecological function.
- Public Access: The Act promotes public access to shorelines by mandating inclusion of a public access element in local Shoreline Master Programs and requiring provisions to ensure that new development maintains public access features.

The goal of the update planning process is to improve the SMP to both comply with the new SMA guidelines developed by the Washington State Department of Ecology (Ecology) and better implement citizens' vision for Seattle's shorelines. The State has established a December

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2010 deadline for Seattle to adopt the updated SMP. The SMA requires that local governments actively encourage participation by the public and federal, state and local agencies in updating SMPs. As part of meeting this requirement, Ecology encourages local governments to form a citizen advisory committee to provide a forum to discuss shoreline management issues, provide input on policy, technical work and regulations, and promote communication with the general public concerning shoreline management issues (see the Department of Ecology guidelines in Section 6 of the SMP Update binder). To this end, DPD has convened an SMP Update Citizens Advisory Committee (Committee).

The Committee's work products will be used by DPD to influence and guide its decision-making on SMP revisions, additions and other changes. Issues to be addressed by the Committee include new shoreline zoning, development standards for each shoreline zone, protecting the continued viability of preferred uses, environmental protection, public access and view corridors, and clarifying the permitting process.

Composition

In putting together the SMP public participation plan, DPD developed a list of shoreline stakeholders, posted this list on the SMP website and asked for input regarding additional groups or organizations that were not identified on this initial list. The list was updated based on the input DPD received. DPD then determined the representation of the stakeholder groups on the citizen advisory committee, seeking to balance the wide range of perspectives including marine industries, Port of Seattle, floating homes, recreational users, environmental organizations, labor, commercial and industrial property owners, permittees, single family residents, and Seattle citizens at-large.

The individual members of the CAC were nominated through an open solicitation process. All nominees were interviewed by Triangle Associates (also providing meeting facilitation for the Committee), which worked with DPD to develop and present Committee recommendations to the Director of DPD.

The stakeholder groups represented are listed below. Each interest has one seat on the Committee, except where indicated. If a Committee member steps down during the process, a replacement will be selected by the DPD Director.

- Port of Seattle
- University of Washington
- Seattle Planning Commission
- Business: Central Waterfront
- Commercial
- Marine Industrial Business: Duwamish
- Marine Industrial Business: Lake Union/Ship Canal
- Aquatic Permittees/Contractors
- Environmental: Salt Water
- Environmental: Fresh Water

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- Environmental: Duwamish River
- Labor
- Recreation/Public Access (2)
- Residential Shoreline Property Owner
- Non-Residential Shoreline Property Owners
- Floating Homes
- Citizen At-Large (3)

Roles and Responsibilities of the Committee

- The Committee will help develop the new policy, regulations and environmental designations by making specific recommendations.
- The Committee will provide input on its work plan and focus on specific topics from that work plan.
- The Committee will review draft shoreline regulations developed by DPD.
- The Committee will present its findings and recommendations as appropriate to the City Council.

Roles and Responsibilities of Members

- Members are expected to place a high priority on preparing for, attending and actively participating in Committee meetings. Members will arrive on time and avoid leaving early. The use of alternates is discouraged and should only occur after discussion with DPD, the facilitator and the chair (if one is appointed).
- Members are asked to represent the points of view of their interest area(s), including but not limited to the particular organization from which they come. However, members are also asked to focus on the overall good of the City's shorelines, not just the perspectives of individual interest areas.
- Members will keep their constituents informed on what is happening at Committee meetings and get input on issues discussed.
- Members agree to work cooperatively to accomplish the purposes of this process and acknowledge that all participants bring with them legitimate purposes, goals, concerns and interests, whether or not they are in agreement with them.
- Members agree to listen to all points of view and perspectives on issues and alternatives and to seek to identify areas of agreement, as well as reasons for different points of view.
- Members will act in "good faith," seek to state their own concerns and interests clearly, listen carefully to and assume the best in others, and ask genuine questions (to learn or clarify) not rhetorical ones (to persuade or argue).
- Members will focus on the subject at hand, share discussion time, avoid interrupting, respect time constraints, keep reactions and responses from being personal, and avoid side conversations.
- Members will minimize the use of jargon and acronyms and define/explain jargon and acronyms when used.

Roles and Responsibilities of the Chair

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The Committee may, if it desires, appoint a chair from amongst its membership, either at the first meeting or later in the process. Desired qualities for a chair include:

- Articulate.
- Good listener, sympathetic.
- Dependable and committed (attends every meeting).
- Open-minded with no preconceived agenda or outcome to push.
- Ability to be impartial.
- Able to speak for the whole.
- Consensus-builder.
- Has stature in the community and is respected.

If the Committee decides to select a chair, it can do so by individual nomination, followed by consensus voting (see definition below). If the Committee selects a chair, he/she will have the following responsibilities:

- Work with the facilitator and DPD to develop agendas, ensure that meeting business is conducted in a timely and efficient manner, and that each member has the opportunity to contribute and be heard.
- Designate Committee members to perform assignments and/or form ad hoc subcommittees or task teams to address specific topics. Each subcommittee or task team should have a designated lead, responsible for overseeing completion of the task. Subcommittees may include experts from outside the Committee, if agreed upon by the Committee and DPD.
- Act as the Committee spokesperson and designate another member to serve as alternate spokesperson when the chair is not available. Public statements by the chair or designated spokesperson should reflect Committee recommendations and positions.

If the Committee decides to not appoint a chair, the facilitator will perform these functions.

Roles and Responsibilities of the Facilitator

The facilitator is an impartial individual who guides the process, including facilitating Committee meetings and possibly subgroups meetings (if subgroups are formed). The responsibility of the facilitator is to keep the Committee focused on agreed-upon tasks, suggest ideas, strategies, approaches, alternative methods and procedures, keep discussions moving forward, encourage participation by all Committee members, document decisions and action items, and enforce the ground rules. Specific facilitator tasks include:

- Work with DPD and the chair (if one is appointed) or Committee members to prepare meeting agendas so that meetings are productive and accomplish the goals of the group.
- Communicate with Committee members between meetings to discuss issues to be addressed.
- Debrief with DPD after each meeting.
- Prepare meeting summaries and action item lists.

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- Help draft or review Committee products, including advice papers.
- Assist in keeping communication open between the Committee and DPD.
- Assure that relevant information is provided to the Committee in a timely and effective manner relative to the advice the Committee is asked to provide.

Roles and Responsibilities of DPD

- DPD will provide administrative and communications assistance to the Committee. This will include meeting logistics and making Committee meeting notices, agendas, summaries and advice papers available from the project website in a timely fashion.
- DPD will work with the Committee, its chair (if one is appointed) and the facilitator to prepare a work plan to accomplish the purposes of the Committee.
- DPD will participate in the process and sit at the table, being fully engaged in Committee discussions. However, DPD will not participate in the decision-making process.
- DPD will prepare background materials and arrange presentations on relevant subject matter and develop fact sheets on specific issues, to inform Committee deliberations.
- DPD will respond in writing and with direct dialogue to written Committee recommendations, providing its rationale for accepting, not accepting and/or suggesting modifications to those recommendations.
- DPD will serve as the liaison between the Committee and other entities providing input on the SMP update, including agencies, governments and other City departments, describing this input and how it is being taken into account alongside that of the Committee.
- DPD will secure the services and/or contribution of technical experts if needed for specific issues, as allowed by time and budget constraints.
- All results of the Committee process will be made available as part of the SMP update public participation process.

Meetings

- The Committee will meet approximately eight times from April 2008 through February 2009.
- Meetings are expected to occur in the evening at the Seattle Municipal Tower located in downtown Seattle. Dates and place of meetings will be confirmed by the Committee.
- Meetings will begin and end on time.
- Meetings will be task-oriented with an agenda and materials prepared and distributed in advance, to support informed discussion.
- Questions or issues to be considered for inclusion on the agenda should be submitted to the facilitator. The facilitator will bring these to DPD and the chair (if one is appointed).

Meeting Summaries

- A written summary of discussion from each meeting will be prepared by the facilitator and reviewed by the Committee and DPD before being considered final. The facilitator will also provide a list of decisions, action items and assignments from each meeting.

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- Meeting summaries will describe areas of agreement and disagreement, clarify where and why there is disagreement, and seek to state points of view fairly and clearly.
- Meeting summaries will be sent to Committee members, electronically where possible. Summaries will also be posted at a Committee webpage on DPD's SMP Update website. Committee members, observers and other interested individuals lacking Internet access may ask to receive summaries by fax or U.S. mail.

Decision Making

- The Committee will seek to reach full consensus (all members in agreement) on advice it provides to the City and other decisions it makes.
- On issues where full consensus cannot be reached in a timely manner, the Committee will determine if it can agree to "partial consensus" (one or more members not in full agreement, but can "live with" the consensus position of the group).
- Where the Committee cannot reach full or partial consensus in a timely manner, it will report the different perspectives held on the issue and the rationale behind the perspectives.
- On major issues, a single statement of advice (encompassing both areas where there is agreement and where there are differing perspectives) will be prepared, reviewed and approved by the Committee before it is submitted to DPD.
- A simple majority of the Committee is necessary to constitute a quorum. A quorum is necessary for the Committee to make decisions or recommendations. If a quorum is not present, electronic polling (via phone and/or electronic mail) will be acceptable for ensuring a simple majority at or after a meeting.
- Amendments to the charter may be proposed by any Committee member. Passage will be by consensus, if possible, or otherwise by majority vote.

Products

- The Committee's methods for communicating its findings and recommendations will be through both oral and written reports or memoranda (for minor issues) and advice papers (for major issues).
- All Committee recommendations should provide an explanation of the rationale behind the Committee's advice, in order to provide DPD, other stakeholders and the public with an understanding of why those recommendations were made.
- A final report will be prepared by a committee compiling the oral and written reports and memoranda at the end of the Committee process.
- The full Committee will review and approve the wording of its advice on issues under consideration before the advice is presented to DPD.

Public Involvement/Communication/Media

- Public input is critical to the success and credibility of the SMP update. The process will include a strong public involvement component, of which this Committee is one part. The full SMP Update public participation plan is available by request.

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- Committee meetings are open to the public. Observers are welcome at all Committee meetings, but will not be seated at the table nor participate in discussions. Time will be set aside on the agenda of each meeting for comments or questions from observers.
- Members of the Committee accept the responsibility to keep their associates and constituency groups informed of the progress of the discussions and to seek advice and comments.
- The chair (if appointed) and his/her appointed alternate shall be the designated spokesperson for the process and its progress.
- If necessary, a joint statement for media release will be developed by the Committee. Members will discuss the process and substance of Committee deliberations with the media in the spirit of such joint statements and fairness to all. Members will refrain from characterizing the view expressed by other participants.
- Members agree they will try to work out any differences at the table, instead of in the media.